

BURRIS, NISENBAUM, CURRY & LACY LLP
JOHN L. BURRIS, Esq. (SBN 69888)
Airport Corporate Centre
7677 Oakport Street, Suite 1120
Oakland, California 94621
Telephone: (510) 839-5200
Facsimile: (510) 839-3882
john.burris@johnburrislaw.com

BURRIS, NISENBAUM, CURRY & LACY LLP
DEWITT M. LACY, Esq. (SBN 258789)
JULIA N. QUESADA, Esq. (SBN 337872)
LENA P. ANDREWS, Esq. (SBN 342471)
9701 Wilshire Blvd., Suite 1000
Beverly Hills, California 90212
Telephone: (310) 601-7070
Facsimile: (510) 839-3882
dewitt@bnclaw.com
julia.quesada@bnclaw.com
lena.andrews@bnclaw.com

5 Attorneys for Plaintiff
6 Antonio Lopez, Johanna Lopez, & S.L. by and through his guardian ad litem
Rocio Flores

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ANTONIO LOPEZ, individually;
JOHANNA LOPEZ, individually;
M.R., by and through his guardian ad
litem, April Rodriguez, individually
and as successor in interest to
Brandon Lopez; B.L. and J.L., by and
through their guardian ad litem
Rachel Perez, individually and as
successors in interest to Brandon
Lopez; S.L., by and through his
guardian ad litem, Rocio Flores,
individually and as successor in
interest to Brandon Lopez,

Plaintiff,

VS.

Case No.: 8:22-cv-01351-JVS-ADS

*(Honorable James V. Selna; Magistrate
Judge Autumn D. Spaeth)*

**DECLARATION OF LENA P.
ANDREWS IN SUPPORT OF
AMENDED EX PARTE PETITION
TO APPROVE MINOR'S
COMPROMISE FOR MINOR
PLAINTIFF S.L.**

1 CITY OF ANAHEIM, a municipal
2 corporation; CITY OF SANTA
3 ANA, a municipal corporation;
4 DAVID VALENTIN, individually
and in his official capacity as the
Chief of Police for the CITY OF
SANTA ANA Police Department;
JORGE CISNEROS, individually
and in his official capacity as the
Chief of Police for the CITY OF
ANAHEIM Police Department;
PAUL DELGADO, individually and
in his official capacity as an officer
for the CITY OF ANAHEIM Police
Department; BRETT HEITMAN;
KENNETH WEBER, individually
and in his official capacity as an
officer for the CITY OF ANAHEIM
Police Department; BRETT
HEITMAN; CAITLIN PANOV,
individually and in her official
capacity as an officer for the CITY
OF ANAHEIM Police Department;
BRETT HEITMAN, individually and
in his official capacity as an officer
for the CITY OF ANAHEIM Police
Department; BRETT HEITMAN;
DOES 1-10, individually and in their
official capacity as law enforcement
officers for the CITY OF ANAHEIM
Police Department and CITY OF
SANTA ANA Police Department,

17 Defendants.

18

19 I, Lena P. Andrews declare:

20 1. I am an attorney who is licensed to practice law in California and
21 before this Court. I represent the Plaintiffs in the above captioned matter and I have
22 personal knowledge of the following facts and, if called as a witness, I could and
23 would competently testify thereto.

24 2. The nature of Plaintiff S.L.'s claims are set forth in the operative
25 complaint.

1 3. Medical treatment and medical billing are not relevant. Plaintiff S.L.
2 has not received medical treatment in connection with this case.

3 4. Minor Plaintiffs S.L., B.L., J.L., and M.R and Defendants Officers and
4 the City of Anaheim reached a settlement in this matter. The total settlement for this
5 matter is in the amount of \$5,800,000, inclusive of all costs and attorney's fees.

6 5. The minor Plaintiffs, by and through their respective guardian ad
7 litem, have agreed to even apportionment of the total amount between the four
8 minor Plaintiffs. Thus, Minor Plaintiff S.L.'s gross settlement amount shall be
9 \$1,450,000, equal to 25% of the total settlement.

10 6. Burris, Nisenbaum, Curry & Lacy hereby request attorney's fees in the
11 amount of 25% of the total gross settlement to Minor Plaintiff S.L., equaling
12 \$362,500.00, pursuant to the contingency agreement between Minor Plaintiff S.L.,
13 by and through his guardian ad litem Rocio Flores, and Burris, Nisenbaum, Curry &
14 Lacy LLP.

15 7. The minor Plaintiffs, by and through their respective guardian ad
16 litem, have agreed to an even apportionment of the total costs.

17 8. The total costs expended by counsel in the course of litigation for all
18 Minor Plaintiffs in this matter is \$14,573.95. Thus, Minor Plaintiff S.L. shall bear
19 \$3,643.49 in litigation costs.

20 9. Minor Plaintiff S.L. will thus receive a net settlement in the amount of
21 \$1,083,856.51.

22 10. Petitioner Rocio Flores has reviewed the proposed settlement and
23 structured disbursement schedule in Exhibit A.

24 11. California Welfare and Institutions Code Section 14124.73 does not
25 apply.

26 12. This motion does not seek an order for payment of money to a special
27 needs trust.

1 13. This petition was prepared by Burris, Nisenbaum, Curry & Lacy LLP,
2 counsel for Minor Plaintiff S.L. in this action. DeWitt M. Lacy, Julia N. Quesada,
3 and Lena P. Andrews are counsel of record for Minor Plaintiff S.L. Burris,
4 Nisenbaum, Curry & Lacy is in agreement with the terms of this Petition.

5 14. Plaintiff S.L.'s counsel also represent Plaintiffs Antonio Lopez and
6 Johanna Lopez.

7 15. Plaintiffs Antonio Lopez and Johanna Lopez are not parties to the
8 subject settlement.

9 16. DeWitt M. Lacy, Julia N. Quesada, and Lena P. Andrews, hereby
10 represent to the Court that they became involved in this case at the request of
11 Plaintiffs and have not received any compensation for their services in connection
12 with this action from any person.

13 17. Plaintiff S.L. previously filed a Petition for Minor's Compromise [Dkt.
14 114] which this Court granted [Dkt. 115]. After receiving the Order, Plaintiff S.L.'s
15 counsel noticed a mathematical error in the original petition. The previous petition
16 requested attorney's fees in the amount of 33.33%; however the correct amount
17 should have been 25%. Plaintiff S.L. is thus submitting this amended petition to
18 correct this mathematical error. No other changes have been made to the structure
19 nor the petition.

20 //

21 //

22 //

23 //

24 //

25 //

26 //

27 //

1 Dated: May 9, 2024

BURRIS, NISENBAUM, CURRY & LACY LLP

2

3 By: /s/ Lena Andrews

4 DeWITT M. LACY

5 JOHN L. BURRIS

6 JULIA N. QUESADA

7 LENA P. ANDREWS

8 Attorneys for Plaintiff,

9 Antonio Lopez, Johanna Lopez, &
10 S.L. by and through his guardian ad
11 item Rocio Flores

BURRIS, NISENBAUM, CURRY & LACY LLP
9701 Wilshire Boulevard, Suite 1000
Beverly Hills, California 90212